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A

GENERAL ABRIDGMENT

OF

Law and Equity,

ALPHABETICALLY DIGESTED UNDER PROPER TITLES;

WITH NOTES AND REFERENCES TO THE WHOLE.

BY CHARLES VINER, ESQ.

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ADVERTISEMENT.

IN the Republication of the preſent Volume, which contains a General Index of the Titles and Diviſions of the Principal Matters in VINER'S ABRIDGMENT, as alſo in ſeveral other General Abridgments of Law and Equity, it has been judged a deſirable improvement to incorporate, in like manner, references to the ſubject-matter contained in the latter volumes of *Bacon's Abridgment*, and in the *Digeſt* of Lord Chief Baron Comyns *, publiſhed ſince the original edition of VINER'S ABRIDGMENT; by which the reader is poſſeſſed, under one view, of an Index to the ſeveral principal Abridgments of Law and Equity.

The Titles, MAXIMS and STATUTES have alſo been added, with proper references to the ſeveral volumes of VINER'S ABRIDGMENT, in order, in ſome meaſure, to ſupply the original intention of the Author, and to extend the general utility of this volume.

* This Work is denoted, throughout this Index, by the abbreviation *Com.* i, 420, &c.

AN

ALPHABETICAL INDEX

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Act of God shall do neither party an injury. *Estate*, x. 407.
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Actus legitimi non recipiunt modum. *Presentation*, xvii. 354.
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Æquior est dispositio legis quam hominis. *Release*, xviii. 321.
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Affectio tua imponit nomen operi tuo. *Uses*, xxii. 209.
Apices juris non sunt jura. *Common*, v. 18. *Descent*, viii. 16.
Alienatio rei præfertur juri accusandi. *Jointenants*, xiv. 481.
Apud eum fieri debet renunciatio, apud quem pertinere dignoscitur confirmatio. *Presentation*, xvii. 359.
Arbitrio domini res æstimari debet. *Copyhold*, vi. 105.
Arbor dum crescit, lignum dum crescere nescit. *Reservation*, xix. 133.
Antecedent general words shall be restrained by particular words following; but not e contra. *Grants*, xiv. 61.
Argumentum a majori ad minus negativè non valet, valet è converso. *Presentation*, xvii. 464.
Ars deluditur arte. *Covin*, vi. 476.
A statute in the affirmative, without any negative expressed or implied, doth not take away the common law. *Park*, xvi. 185.
A stranger cannot take advantage of a condition. *Devise*, viii. 113.
Bastard nullius filius, filius populi. *Uses*, xxii. 199, 200.
Boni legislatoris est lites dirimere. *Rescript*. xix. 53.
Boni judicis est lites dirimere, ne lis ex lite oriatur. *Discount*, viii. 557.
Borough English shall be taken strictly. *Stricti Juris*, xx. 14.
Cessante causâ cessabit effectus. *Baron and Feme*, iv. 123. *Release*, xviii. 357.
Cessante ratione legis, cessat ipsa lex. *Tenure*, xx. 251.
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Communis lex est magis digna. *Franchises*, xiii. 513.
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Confessio facta in judicio, omni probatione major est. *Confession*, v. 348.
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Consensus tollit errores. *Error*, x. 12. *Evidence*, xii. 62, 113. *Judgment*, xiv. 625. *Partition*, xvi. 218. *Sewers*, xix. 417. *Trial*, xxi. 120.

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Consuetudo ex certâ causâ rationabili usitata privat communem legem. *Customs*, vii. 188.
Consuetudo loci est observanda. *Condition*, v. 134.
Consuetudo regni est communis lex. *Actions*, i. 216.
Consuetudo semel reprobata, non potest amplius induci. *Customs*, vii. 188.
Contemporanea expositio est optima. *Clerk of the Peace*, iv. 542.
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Contracts are to be judged according to the law of the place where such contracts are made. *Contract*, &c. v. 511.
Cuilibet in suâ arte perito, est credendum. *Court*, vi. 496.
Cujus est dare, ejus est disponere. *Contract*, &c. v. 550. *Powers*, xvi. 497.
Cujus est divisio, alterius est electio. *Parceners*, xvi. 172.
Cujus est solum, ejus est summitas usque ad cœlum. *Nusance*, xvi. 27. *Stocks*, xx. 8. 9.
Curia magis digna, &c. *Conusance*, v. 585.
Currat lex. *Estoppel*, x. 465. *Officers*, xvi. 135.
Custom may make that titheable which of itself is not titheable. *Dismes*, ix. 60.
Customs to bar estates shall be taken strictly. *Stricti Juris*, xx. 14.
Damnum absque injuriâ. *Executors*, xi. 86.
Debere dicitur, quia deest habere. *Prerogative*, &c. xvi. 523.
Debile fundamentum, &c. *Remainder*, xviii. 382.
Debitum et contractus, &c. sunt nullius loci. *Foreign Plea*, xiii. 415.
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Debitum judex non separat. *Contract*, &c. v. 509.
De fide et officio judicis, non recipitur quæstio. *Intendment*, xiv. 449.
Demandant is not to counterplea any seisin, but after the title of his writ. *Voucher*, xxii. 105.
De minimis non curat lex. *Copyhold*, vi. 186. 238. *Customs of London*, vii. 208. *Error*, ix. 565. *Miscasting*, xv. 403. *Parliament*, xvi. 194. *Prescription*, xvii. 258. *Sheriff*, xix. 442. *Waste*, xxii. 458. 473.
De non apparentibus, et de non existentibus, eadem est ratio. *Presentation*, xvii. 447.
Derivativa potestas est ejusdem jurisdictionis cum primitivâ. *Court Leet*, vi. 587. *Court of Sheriff*, &c. vii. 4.
Designatio unius personæ est exclusio alterius. *Condition*, v. 116.
Detur digniori. *Prerogative*, xvi. 566.
De vitâ hominis nulla est cunctatio longa. *Prerogative*, &c. xvii. 48.
Dispensatio est provida relaxatio juris pro necessitate pensata. *Prerogative*, &c. xvii. 63.

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Dispensation of a condition in part, is a dispensation in all. *Stricti Juris*, xx. 14.

Disseisin alledged in bar or replication is always traversable. *Traverse*, xx. 363.

Distinguenda sunt tempora. *Release*, xviii. 329.

Domus sua cuique tutissimum est refugium. *House*, xiv. 315.

Donatio perficitur possessione accipientis. *Gift*, xiv. 191.

Droit ne done pluis que soit demande. *Damages*, vii. 287.

Dos de dote peti non debet. *Dower*, ix. 221. 232.

Duplicationem possibilitatis lex non patitur. *Estate*, x. 290.

Ecclesia ecclesiæ decimas solvere non debet. *Presentation*, &c. xvii. 296.

Eodem modo quo oritur, eodem modo dissolvitur. *Contract*, &c. v. 516.

Equal things cannot drown one another. *Merger*, xv. 362.

Equity follows the law. *Prerogative*, &c. xvii. 119.

Estoppels shall be taken strictly. *Stricti Juris*, xx. 14.

Every prescription is stricti juris. *Stricti Juris*, xx. 14.

Excambium naturaliter vult in se warrantiam. *Voucher*, xxii. 26.

Exceptio semper ultimo ponenda est. *Reservation*, xix. 135

Ex diuturnitate temporis omnia præsumuntur solenniter esse acta. *Evidence*, xii. 84. See *Omnia*.

Ex facto jus oritur. *Trial*, xxi. 23.

Ex nudo pacto non oritur actio. *Contract*, &c. v. 529. *Evidence*, xii. 117. *Nudum Pactum*, xvi. 16.

Expectet emptor, &c. *Debt*, vii. 333. *Statutes*, xix. 524.

Expedit reipublicæ ut sit finis litium. *Fine*, xiii. 294. 304.

Expende circumstantias, et intentio intelligetur. *Release*, xviii. 341.

Ex præcedentibus et consequentibus, optima fit interpretatio. *Grants*, xiv. 59. *Release*, xviii. 341.

Expressio eorum, quæ tacitè insunt, nihil operatur. *Devise*, viii. 375. *Estate*, x. 245. *Presentation*, xvii. 406. *Remainder*, xviii. 392.

Expressio falsi. *Prerogative*, &c. xvii. 44.

Expressum facit cessare tacitum. *Condition*, v. 116. *Devise*, viii. 203.

Ex primâ causâ oritur omnis actio. *Relation*, xviii. 293.

Factum valet, quod fieri non debuit. *Executors*, xi. 116.

Fatetur facinus, qui judicium fugit. *Bail*, iii. 446.

Fiction shall not take away right. *Presentation*, xvii. 386.

Fictions of law hold no place against rights. *Executors*, xi. 134.

Filiatio non potest probari. *Bastard*, iv. 215. *Trial*, xxi. 58.

Finis finem litibus imponere debet. *Fine*, xiii. 245.

Forfeitures shall be taken strictly. *Stricti Juris*, xx. 14.

Fortior et potentior est dispositio legis quam hominis. *Surrender*, xx. 144. *Waste*, xxii. 505.

Fortior et potentior est vulgaris consuetudo, quam regalis concessio. *Bye-Laws*, iv. 307.

Fraight

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Fraight is the mother of wages. *Master of a Ship*, xv. 346.
Fraus est celare fraudem. *Fraud*, xiii. 545.
Fraus et dolus nemini patrocinari debet. *Covin*, vi. 476. *Disseisin*, ix. 96. *Fraud*, xiii. 543.
Fraus non est fallere fallentem. *Fraud*, xiii. 520. *Trust*, xxi. 518.
Frustra fit per plura, quod fieri potest per pauciora. *Nontenure*, xv. 594.
Frustra petis, quod statim alteri reddere cogeris. *Executors*, xi. 90.
Generalis clausula non porrigetur ad ea, quæ antea specialiter sunt comprehensa. *Grants*, xiv. 61. 157. *Parols*, xvi. 212.
General words shall be taken in mitiori sensu. *Devise*, viii. 319.
General words subsequent shall be restrained by precedent particular words. *Grants*, xiv. 61.
Heir more favoured at law and in equity, than executor or administrator. *Portions*, xvi. 448.
Id certum est, quod certum reddi potest. *Common*, iv. 587. *Distress*, ix. 127.
Idem est nihil dicere, et insufficienter dicere. *Mute*, xv. 531. *Return*, xix. 205.
Idem semper proximo antecedenti refertur. *Estate*, x. 251.
Id quod licitum non est, necessitas facit licitum. *Necessity*, xv. 534.
Impersonalitas nec concludit nec ligat. *Estate*, x. 422.
Impotentia excusat legem. *Descent*, viii. 17. *Residence*, xix. 147.
In æquali jure, melior est conditio possidentis. *Executors*, xi. 270. *Guardian and Ward*, xiv. 178. *Presentation*, xvii. 369. *Privilege*, 518. *Title*, xx. 278.
Incerta pro nullis habentur. *Customs*, vii. 188.
Incivile est, nisi tota sententia perspecta, de aliqua parte judicare. *Grants*, xiv. 100.
Indefinitum equipollet universali. *Devise*, viii. 307.
In disjunctivis sufficit unum esse verum. *Residence*, xix. 143.
In expositione instrumentorum, mala grammatica, quoad fieri potest, vitanda est. *Grammar*, xiv. 27.
In facto quod se habet ad bonum et malum, magis de bono quam de malo lex intendit. *Intendment*, et præsumendum est, xiv. 449. *Presumption*, xvii. 508.
In favorem libertatis. *Trial*, xxi. 124.
In favorem vitæ. *Trial*, xxi. 252.
In fictione juris semper subsistit æquitas. *Fictions*, xiii. 210. *Rent*, xviii. 503.
Infinitum in jure reprobatur. *Circuity of Actions*, iv. 534.
In fraudem legis. *Condition*, v. 223.
Inheritance cannot lineally ascend. *Heir*, xiv. 248.
In odium spoliatoris. *Discovery*, viii. 545. *Faits*, xiii. 101. *Money*, xv. 420. *Own Oath*, xvi. 156.

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In præsentia majoris, cessat potestas minoris. *Justices of Oy. and Term.* xv. 23.

In preparatoriis ad judicium favetur actori. *Default*, vii. 452.

In republica maxime conservanda sunt jura belli. *Law*, xv. 48. *Safe Conduct*, xix. 273.

In restitutionem, non in pœnam, hæres succedit. *Prerogative*, &c. xvi. 523.

Intent shall not be construed in trespass, contrary in felony. *Intendment*, xiv. 449.

Interest reipublicæ res judicatas non rescindi. *Presentation*, xvii. 396.

Interest reipublicæ ut sit finis litium. *Judgment*, xiv. 637. *Redisseisin*, &c. xviii. 266.

Inter pares non est potestas. *Sessions of the Peace*, xix. 343.

Interpretatio fienda est, ut res valeat. *Blunders*, iv. 278.

Judex non reddit plus quam quod petens ipse requirit. *Damages*, vii. 287.

Judges ought to adjudge according to the common intendment of law. *Intendment*, xiv. 449.

Judicia in curiâ regis reddita, non adnihilentur, sed stent in suo robore quousque per errorem aut attinctam adnihilentur. *Presentation*, xvii. 396.

Judicia in curiâ regis reddita, pro veritate accipiuntur. *Account*, i. 168. *Intendment*, xiv. 494. *Presentation*, xvii. 396.

Judicia sunt tanquam juris dicta. *Intendment*, xiv. 449. *Presentation*, xviii. 396.

Judicia suum effectum habere debent. *Replevin*, xix. 3.

Judicium non debet esse illusorium. *Replevin*, xix. 3.

Judicium semper pro veritate accipitur. *Judgment*, xiv. 583.

Jura naturæ sunt immutabilia. *Statutes*, xix. 494.

Jura publica anteferenda privatis. *Protection*, xviii. 84.

Jura regis specialia non conceduntur per generalia verba. *Prerogative*, &c. xvii. 128.

Jus accrescendi inter mercatores locum non habet. *Survivor*, xx. 148.

Jus accrescendi præfertur oneribus. *Jointenants*, xiv. 481.

Jus dicere non condere. *Devise*, viii. 78.

Jus et norma loquendi governed by usage. *Statutes*, xix. 520.

Jus præfertur ultimæ voluntati. *Jointenants*, xiv. 499.

Justitiâ firmatur solium. *Striking*, xx. 17.

Justum est quod punietur in eo quo peccat. *Prerogative*, &c. xvii. 164.

Jus venit, quod usus comprobavit. *Law*, xv. 46.

King (the) can do no wrong. *Prerogative*, xvi. 564.

King (the) never dies. *Estate*, x. 235, 236.

Law always respects order of proximity. *Receipt*, xix. 50.

Law disfavours contrarieties and repugnancy. *Repugnant*, xix. 47.

Law favours life. *Life*, xv. 99.

Law never intends a possibility upon a possibility. *Jointenants*, xiv. 496.

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Law presumes every one will act for his best advantage. *Intendment*, xiv. 449.

Law respects matters of profit and interest largely; but of pleasure, skill, ease, trust, authority, and limitation, strictly. *Countermand*, vi. 483. *Stricti Juris*, xx. 14.

Law respects present benefits more than future possibilities. *Possibility*, xvi. 461.

Law respects the next estate, though small, be it in remainder, or reversion for life, before the great and remote estate in fee. *Receipt*, xix. 50.

Law will admit no proof against that which it presumes. *Voucher*, xxii. 154.

Leges posteriores abrogant priores. *Statutes*, xix. 525.

Leges posteriores leges priores contrarias abrogant. *Physicians*, &c. xvi. 343.

Legis constructio non facit injuriam. *Grants*, xiv. 64.

Lex a rege non est violanda. *Protection*, xviii. 99.

Lex necessitatis est lex temporis, i. e. instantis. *Necessity*, xv. 534.

Lex neminem cogit ad impossibilia. *Jointenants*, xiv. 518.

Lex nihil facit frustra. *Alien*, ii. 260. *Prerogative*, xvii. 46.

Lex non cogit ad impossibilia. *Condition*, v. 233. 328.

Lex non cogit inutile. *Condition*, v. 225.

Lex parliamenti est ab omnibus quærenda, a multis ignorata, a paucis cognita. *Law*, xv. 47.

Lex semper intendit quod convenit rationi. *Intendment*, xiv. 449.

Lex spectat naturæ ordinem. *Jointenants*, xiv. 518.

Liberata pecunia non liberat offerentem. *Tender*, xx. 190.

Majus continet in se minus. *Settlement of the Poor*, xix. 379.

Majus dignum trahit ad se minus dignum. *Conusance of Pleas*, v. 584. 586.

Mala grammatica non vitiat instrumenta. *Grammar*, xiv. 27.

Males are more worthy than, and preferred before females. *Uses*, xxii. 200.

Malitia supplet ætatem. *Enfants*, ix. 395. *Murder*, xv. 504.

Malus usus est abolendus. *Customs*, vii. 178. 187.

Melior est conditio possidentis, ubi neuter jus habet. *Colour in Pleading*, iv. 564.

Meum est premittere non dimittere. *Countermand*, vi. 482.

Modus et conventio vincunt legem. *Common*, iv. 508. *Election*, ix. 359. *Mortgage*, xv. 462. *Partition*, xvi. 218. *Presentation*, xvii. 355. *Rent*, xviii. 524.

Multa conceduntur per obliquum, quæ non conceduntur de directo. *Trial*, xxi. 374.

Multa honesta accipi possunt, quæ tamen peti non possunt. *Counseller*, vi. 478.

Multa ignoramus, quæ nobis non laterent, si veterum lectio nobis esset familiaris. *Wreck*, xxii. 539.

Multa-

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Multa transeunt cum universitate, quæ per se non transeunt. *Heir*, xiv. 287.

Multitude of judicial precedents make law. *Precedents*, xvi. 502.

Multitudo errantium tollit peccatum. *Statutes*, xix. 507.

Necessitas facit licitum, quod aliàs non est licitum. *Evidence*, xii. 231.

Necessitas est lex temporis. *Necessity*, xv. 538.

Necessitas inducit privilegium quod jure privatur. *Necessity*, xv. 534.

Necessitas legum vincula irridet. *Necessity*, xv. 534.

Necessitas sub lege non concedetur, quia quod aliàs non est licitum, necessitas facit licitum. *Voucher*, xxii. 121.

Necessity dispenses with the direct letter of a statute law. *Necessity*, xv. 534.

Necessity is excepted out of all law. *Wreck*, xxii. 540.

Negativa nihil certi implicat. *Negative*, xv. 540. *Nient Dedire*, 553. *View*, xxi. 569.

Nemo dat quod non habet. *Execution*, xi. 16. *Grants*, xiv. 45.

Nemo debet bis vexari, si constet curiæ, quod sit pro unâ et eâdem causâ. *Other Action pending*, xvi. 148.

Nemo debet se immiscere rei alienæ. *Coroner*, vi. 245. *Judgment*, xiv. 613.

Nemo est hæres viventis. *Devise*, viii. 72. 325. *Issue*, xiv. 572. *Trust*, xxi. 526.

Nemo potest contra recordum verificare. *Account*, i. 168.

Nemo potest plus juris in alium transferre, quam ipse habet. *Copyhold*, vi 24.

Nemo præsumitur alienam posteritatem suæ prætulisse. *Voucher*, xxii. 154.

Nemo tenetur divinare. *Nuisance*, xvi. 39.

Nemo tenetur prodere seipsum. *Discovery*, 539. *Evidence*, xii. 47. viii. 539. See *Prohibition*, xviii. 14. *Utlawry*, xxii. 345.

Ne res pereat. *Confirmation*, v. 388.

Next of blood to infant, to whom inheritance cannot descend, shall be guardian in socage, and not he to whom it may descend. *Guardian and Ward*, xiv. 178.

Nihil de re accrescit ei, qui nihil in re, quando jus accrescerit, habet. *Jointenants*, xiv. 509.

Nihil tam conveniens est naturali æquitati unumquodque dissolvi eo ligamine quo ligatum est. *Presentation*, xvii. 396.

No man is presumed to do any thing against nature. *Voucher*, xxii. 154.

Non admittitur ejusdem rei exceptio, cujus petitur dissolutio. *Utlawry*, xxii. 374. 377.

None can be party and judge in his own cause. *Trial*, xxi. 26. 28.

Non est [vel nullus] hæres viventis. *Remainder*, xviii. 389. 411. *Receipt*, xix. 59.

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Non præstat [vel valet] impedimentum, quod de jure non fortitur effectum. *Statutes*, xix. 527.

Non sunt longa, quibus nihil est quod demere possis. *Condition*, v. 333.

Non valet impedimentum, quod de jure non fortitur effectum. *Copyhold*, vi. 157.

Norma loquendi, is the rule for the interpretation of actions for words. *Precedents*, xvi. 503.

Nova constitutio futuris formam imponere debet, non præteritis. *Devise*, viii. 80. *Statutes*, xix. 524. *Voucher*, xxii. 148.

No words shall be supplied by intendment to make a condition devest or destroy an estate. *Stricti Juris*, xx. 14.

Nudum pactum. *Offer*, xvi. 77.

Nullum tempus occurrit regi. *Alien*, ii. 259. *Continuance*, v. 495, 496. *Customs*, vii. 188. *Jointenants*, xiv. 490. *Occupant*, xvi. 70. *Prerogative*, 565. xvii. 221. *Presentation*, 378. 390. 402. 423. 444. 447. 479. *Prohibition*, xviii. 53. *Statutes*, xix. 532. *Villein*, xxi. 577. *Utlawry*, xxii. 363. *Wreck*, 540.

Nullus commodum capere potest de injuriâ suâ propriâ. *Rent*, xviii. 502.

Odiosa et inhonesta non sunt in lege præsumenda. *Presumption*, xvii. 508.

Omne majus continet in se minus. *Ejectment*, ix. 330.

Omne majus dignum trahit ad se minus dignum. *Copyhold*, vi. 25. 199. *Jointenants*, xiv. 497. *Release*, xviii. 350. *Trespass*, xx. 475. *Waste*, xxii. 496. 507.

Omnia præsumuntur solennitèr esse acta. *Evidence*, xii. 124, 125. 246. *Faits*, xiii. 99.

Omnia quæque movent ad mortem, sunt Deo danda. *Deodand*. vii. 537.

Omnis consensus tollit errores. *Error*, x. 13. *Trial*, xxi. 295.

Omnis ratihabitio retrotrahitur, et mandato, sive licentiæ, æquiparatur. *Disseisin*, ix. 100. *Fine*, xiii. 288. *Mortgage*, xv. 454. *Ratihabitio*, xviii. 156.

Once a fraud, and always a fraud. *Fraud*, xiii. 539.

Once a recompense, and always a recompense. *Satisfaction*, xix. 277.

One thing shall enure as another. *Grants*, xiv. 86.

Oportet ut res certa deducatur in judicium. *Certainty in Pleading*, iv. 329. *Distress*, ix. 127.

Optimus legum interpres est consuetudo. xix. 527.

Owner has both jus in re, and jus ad rem. *Uses*, xxii. 246.

Pœna ad paucos, metus ad omnes perveniat. *Fear*, &c. xxii. 550.

Pœna ex delicto defuncti, hæres teneri non debet. *Prerogative*, &c. xvi. 523.

Pœna mori potest, culpa perennis erit. *Trial*, xxi. 271.

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Par in parem non habet imperium. *Justices of Peace*, xv. 7. *Law*, xv. 50.

Particular construction to be made, nisi impediatur sententia, or intentio partium. *Release*, xviii. 341.

Partus sequitur ventrem. *Executors*, xi. 175.

Patronum faciunt dos, ædificatio, fundus. *Appendant*, &c. iii. 1.

Pendente lite nihil innovetur. *Mesne*, xv. 374.

Plus peccat author quam auctor. *Perjury*, xvi. 311. *Subornation*, xx. 20.

Plus vident oculi quam oculus. *Coroner*, vi. 245.

Possessio est quasi pedis positio. *Descent*, vii. 589.

Possessio fratris facit sororem esse hæredem. *Copyhold*, vi. 80. 192, 193. *Descent*, vii. 584, 589. See *Seisina*.

Possession is a good title, where no better title appears. *Title*, xx. 278.

Possibilitas post dissolutionem executionis, nunquam reviviscitur. *Possibility*, xvi. 460.

Post executionem status lex non patitur possibilitatem. *Possibility*, xvi. 460.

Precedents that pass *sub silentio*, are of little or no authority. *Precedents*, xvi. 499.

Præsentia corporis tollit errorem nominis. *Grants*, xiv. 97.

Præsumitur rex habere omnia jura in scrinio pectoris. *Mortmain*, xv. 489.

Priority of time is respected of things done together, or which happen in an instant. *Instant*, xiv. 448.

Privatio præsupponit habitum. *Forcible Entry*, &c. xiii. 395.

Pro possessore habetur, qui dolo discit possidere. *Executors*, xi. 240.

Quæ communi legi derogant, strictè interpretari debent. *Stricti Juris*, xv. 14.

Quæ frequentius accidunt. *Statutes*, xix. 528.

Quæ incontinenti fiunt, inesse videntur. *Conditions*, v. 70. *Instant*, xiv. 448. *Remainder*, xviii. 426.

Quælibet concessio fortissimè contra donatorem interpretenda est. *Grants*, xiv. 64.

Quæ sunt minoris culpæ, sunt minoris infamiæ. *Evidence*, xii. 1.

Quando abest provisio partis, adest provisio legis. *Copyhold*, vi. 49.

Quando aliquid conceditur, conceditur et id sine quo res ipsa uti non potest. *Trespass*, xx. 521.

Quando aliquid prohibetur fieri, ex directo prohibetur, et per obliquum. *Condition*, v. 105.

Quando aliquid prohibetur, prohibetur et omne per quod devenitur ad illud. *Indictment*, xiv. 373.

Quando charta continet generalem clausulam, posteaque descendit ad verba specialia, quæ clausulæ generali sunt consentanea, interpretanda est charta secundum verba specialia. *Grants*, xiv. 61.

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Quando duo jura in unâ personâ concurrunt, æquum est ac si essent in duobus vel diversis. *Executors*, xi. 238. *Fine*, xiii. 289. *Title*, xx. 278.

Quando lex aliquid alicui omnia incidentia concedit, tacitè conceduntur, sine quibus res ipsa esse non potest. *Distress*, ix. 126. *Incidents*, xiv. 346. *Prerogative*, xvi. 595. *Voucher*, xxii. 121.

Quando lex est specialis, ratio autem generalis, generaliter est intelligenda. *Redisseisin*, &c. xviii. 265.

Quando mulier nobilis nupserit ignobili, definit esse nobilis. *Additions*, ii. 83.

Quando non valet quod ago, ut ago, valeat quantum valere potest. *Powers*, xvi. 478.

Quando verba sunt specialia, ratio autem generalis, statutum generaliter est intelligendum. *Limitation*, xv. 105.

Quicquid acquiritur servo acquiritur domino. *Master and Servant*, xv. 327.

Quicquid plantatur solo, cedit solo. *Grants*, xiv. 104. 106. *Soil*, xix. 479.

Quicquid solvitur, solvitur ad modum solventis. *Condition*, v. 297. *Payment*, xvi. 279.

Qui facit per alium, facit per se ipsum. *Trespass*, xx. 466. *Trial*, xxi. 75.

Qui hæret in literâ hæret in cortice. *Prescription*, xvii. 280. *Statutes*, xix. 527.

Quilibet renunciare potest beneficium juris pro se introduct. *Tenure*, xx. 235. *Prohibition*, xviii. 35.

Qui melius probat, melius habet. *Dower*, ix. 235. *Evidence*, xii. 94. *Trial*, xxi. 19.

Qui non obstat, quod obstare potest, facere videtur. *Waste*, xxii. 450.

Qui non prohibet, quod prohibere potest, assentire videtur. *Waste*, xxii. 508.

Qui prior est in tempore, potior est in jure, in æquali jure. *Incumbrances*, xiv. 356. *Mortgage*, xv. 448. *Title*, xx. 278.

Qui pro me aliquid facit, mihi fecisse videtur. *Tenure*, xx. 235.

Qui semel actionem renunciavit, amplius repetere non potest. *Nonsuit*, xv. 569.

Qui sentit commodum, sentire debet et onus. *Copyhold*, vi. 190. *Covenant*, 404. *Debt*, vii. 328. *Estate*, x. 231. *Rent*, xviii. 541. *Trade*, xx. 336.

Qui tacet, consentire videtur. *Fraud*, xiii. 536.

Quod ab initio non valuit, tractu temporis non convalescit. *Customs*, vii. 188. *Dower*, ix. 270.

Quod aliàs bonum et justum est, si per vim vel fraudem petatur, malum et injustum efficitur. *Covin*, vi. 474.

Quod constat clarè non debet verificari. *Debt*, vii. 370.

Quod contra legem fit, pro infecto habetur. *Copyhold*, vi. 157.

Quod fieri non debuit, factum valet. *Executors*, xi. 417. *Judgment*, xiv. 617. *Land*, xv. 40. *Return*, xix. 206.

Quod lex conjunxit, nemo separet. *Executors*, xi. 422.

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Quod necessitas cogit, defendit. *Necessity*, xv. 536.

Quotiès in verbis nulla est ambiguitas, ibi nulla expositio contra verba expressa, fienda est. *Grants*, xiv. 58. *Rent*, xviii. 478.

Reddendo singula singulis. *Tenure*, xx. 239.

Relation never defeats collateral acts. *Relation*, xviii. 292.

Relation shall always be ut sententia non impediatur, and not to the last antecedent. *Parols*, xvi. 211. *Relation*, xviii. 288.

Relation shall never make a void grant or devise of the party, good. *Relation*, xviii. 292.

Remedies for rights are ever favourably extended. *Rent*, xviii. 521.

Rent ought to be reserved to him from whom the estate of the land moves. *Reservation*, xix. 108.

Repellitur a sacramento infamis. *Trial*, xxi. 271.

Res corruptæ et transformatæ abesse videntur. *Trespass*, xx. 510.

Res inter alios acta, alteri nocere non debet. *Disines*, ix. 32. *Evidence*, xii. 134. *Presentation*, xvii. 503.

Respondeat superior. *Escape*, x. 101, 102.

Restitutions have more favourable constructions than grants. *Stricti Juris*, xx. 14.

Rex non intermoritur. *Prerogative*, &c. xvii. 2.

Salus populi est suprema lex. *Common*, v. 18.

Securius expediuntur negotia commissa pluribus. *Coroner*, vi. 245.

Seisina fratris facit sororem esse hæredem. *Descent*, vii. 584, 585. See *Possessio*.

Semper expressum cessare facit tacitum. *Grants*, xiv. 146.

Semper ita fiat relatio, ut valeat dispositio. *Relation*, xviii. 287.

Semper præsumitur pro sententiâ et pro legitimatione puerorum. *Intendment*, xiv. 449. *Presumption*, xvii. 508.

Sententia contra matrimonium nunquam transit in rem judicatam. *Judgment*, xiv. 637. *Marriage*, xv. 253.

Sententia non fertur de non liquidis. *Damages*, vii. 269.

Sententiæ numerantur, non ponderantur. *Devise*, viii. 236.

Sequi debet potentia justitiam, non præcedere. *Return*, xix. 173.

Servitia personalia sequuntur personam. *Mesne*, xv. 372.

Solus Deus facit hæredes. *Uses*, xxii. 200.

Solutio pretii emptionis loco habetur. *Property*, xviii. 72.

Stabitur præsumptioni, donec probetur in contrarium. *Evidence*, xii 246. *Presumption*, xvii. 508. *Recovery Common*, xviii. 206.

Stat pro ratione voluntas. *Stricti Juris*, xx. 15.

Statutum speciale speciali statuto non derogat. *Statutes*, xix. 517.

Sublato fundamento, cadit opus. *Error*, ix. 585.

Sublato principali, tollitur adjunctum. *Voucher*, xxii. 42.

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Sublato subjecto, tollitur ejus accidens. *Fine*, xiii. 335.

Subsequent words shall not confound or controul general precedent words. *Grants*, xiv. 61.

Suggestio falsi. *Fraud*, xiii. 550. *Release*, xviii. 370.

Superflua non nocent. *Ejectment*, ix. 345.

Suppressio veri. *Fraud*, xiii. 550. *Prerogative*, xvii. 44. *Release*, xviii. 370.

Suum cuique tribuere. *Copyhold*, vi. 174.

Talis interpretatio fienda est, ut evitetur absurdum et inconveniens. *Grants*, xiv. 63.

Tantum habent de lege, quantum habent de justitiâ. *Precedents*, xvi. 499.

Terra manens vacua, occupanti conceditur. *Occupant*, xvi. 74.

Terra transit cum onere. *Extinguishment*, xi. 448. *Trespass*, xx. 521.

Testamenta latissimam interpretationem habere debent. *Heir*, xiv. 254.

Thesaurus regis est fundamentum belli, et firmamentum pacis. *Prerogative*, &c. xvi. 519. *Protection*, xviii. 84.

Things that go in abridgement of the common law, shall be taken strictly, and shall have no favour in construction. *Stricti Juris*, xx. 14.

Things which relate to time long before, are as if they were done at the same time. *Instant*, xiv. 448.

Traditio facit chartam. *Trial*, xxi. 103

Trust, without appointment, results to grantor and his heirs. *Trust*, xxi. 499.

Trusts and legal estates are to be governed by the same rules. *Trial*, xxi 494.

Two negatives can no more make an issue, than two affirmatives. *Not Guilty*, xvi. 1.

Ubi eadem ratio, ibi idem jus. *Estate*, x. 236.

Ubi factum nullum, ibi fortia nulla. *Accessary*, i. 113, 121.

Ubi licet quod est majus, non debet quod est minus non licere. *Copyhold*, vi. 197.

Ubi major pars, ibi totum. *Major Part*, xv. 183. *Prerogative*, xviii. 187.

Ubi non est principalis, non potest esse accessarius. *Accessary*, i. 121.

Ubi nullum matrimonium, ibi nulla dos. *Dower*, ix. 211.

Ubi sensus verborum est multiplex, verba semper sunt accipienda in meliori sensu. *Copyhold*, vi. 118.

Una persona non potest supplere vicem duorum. *Coroner*, vi. 245.

Usus fit ex iteratis actibus. *Powers*, vi. 469.

Utile per inutile non vitiatur. *Grants*, xiv. 156. *Tell*, xx. 299. *Trial*, xxi. 437. *Uses*, xxii. 242.

Ut res magis valeat, quam pereat. *Baron and Feme*, iv. 157. *Copyhold*, vi. 116. *Deeds*, vii. 406. *Devise*, viii. 108. *Estate*, x. 337. 360. 382. *Faits*, xiii. 28. 54. 55. *Grants*, xiv. 69. *Relation*, xviii. 286. 288. *Release*, 346. *Rent*, xviii. 475.

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Valeat quantum valere poteſt. *Execution*, x. 554.
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Verba accipiuntur aptè et in proprio ſenſu. *Parols*, xvi. 211.
Verba æquivoca, et in dubio poſita, intelliguntur in digniori et potentiori ſenſu. *Parols*, xvi. 204.
Verba intelligi debent cum effectu. *Reaſſeiſin*, &c. xviii. 266.
Verba poſteriora, propter certitudinem addita, ad priora quæ certitudinem indigent, ſunt referenda. *Grants*, xiv. 59.
Verba relata hoc maximè operantur per referentiam, ut inſſie videntur. *Eſtate*, x. 235.
Veritas nominis tollit errorem demonſtrationis. *Grants*, xiv. 97.
Vigilantibus non dormientibus leges ſubveniunt. *Copyhold*, vi. 170. *Deviſe*, viii. 423.
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Voluntas reputabitur pro facto. *Indictment*, xiv. 373. *Intent*, 452. *Robbery*, xix. 245.
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Whenever father purchaſes in name of child unprovided for, it is a proviſion, and not a truſt. *Truſt*, xxi. 502.
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